EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2007-0444-AGR-E **TCEQ ID:** RN104804794 **CASE NO.:** 33039

RESPONDENT NAME: NC-Nortex Cattle Company, LLC

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	_EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
X WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
Market Road 1763 and United States Highwa TYPE OF OPERATION: Cattle feeding op	eration	.6 miles west of the intersection of Farm-to-
SMALL BUSINESS: X Yes	No	
OTHER SIGNIFICANT MATTERS: The facility location.	re are no complaints. There is no record of additiona	al pending enforcement actions regarding this
INTERESTED PARTIES: No one other the	an the ED and the Respondent has expressed an inte	rest in this matter.
COMMENTS RECEIVED: The Texas Reg	rister comment period expired on July 30, 2007. No	comments were received.
David Van Soest, Enforcement Div Respondent: Mr. Michael Ingalls, Carolina 28504-3360	: Ms. Lynley Doyen, Enforcement Division, Enforc	

DOCKET NO.: 2007-0444-AGR-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$6,300 **Corrective Actions Taken:** Complaint X Routine Total Deferred: \$1,260 The Executive Director recognizes that on Enforcement Follow-up May 24, 2007, the Respondent submitted X Expedited Settlement Records Review documentation showing that the __Financial Inability to Pay Respondent no longer owns and operates Date(s) of Complaints Relating to this the Facility. Case: None **SEP Conditional Offset: \$0** Date of Investigation Relating to this Total Paid to General Revenue: \$5,040 Case: December 21, 2006 **Site Compliance History Classification** Date of NOE Relating to this Case: High X Average Poor February 19, 2007 (NOE) Person Compliance History Classification Background Facts: This was a routine __ High _X Average __ Poor investigation. Two violations were documented. Major Source: ___ Yes _X No WATER Applicable Penalty Policy: September 2002 1) Failure to prevent the unauthorized discharge of agricultural waste from a concentrated animal feeding operation ("CAFO"). Specifically, the investigator observed contaminated stormwater runoff flowing from the cattle pens to Paradise Creek, which is located directly between the cattle pens [Tex. WATER CODE § 26.121(a)]. 2) Failure to obtain authorization to operate a CAFO under a water quality general permit or individual permit. Specifically, during the investigation, it was determined that the Facility is operating at the capacity of a large CAFO due to the number of cattle (more than 1,000) without authorization [30 Tex. ADMIN. CODE § 321.33(c)].

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision January 9, 2007 Assigned 26-Feb-2007 PCW 24-May-2007 Screening 22-Mar-2007 RESPONDENT/FACILITY INFORMATION Respondent NC-Nortex Cattle Company, LLC Reg. Ent. Ref. No. RN104804794 Facility/Site Region 3-Abilene Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 33039 No. of Violations 2 Docket No. 2007-0444-AGR-E Order Type 1660 Media Program(s) Water Quality Enf. Coordinator Lynley Doyen Multi-Media EC's Team EnforcementTeam 1 Admin. Penalty \$ Limit Minimum Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$6,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage **Compliance History** Subtotals 2, 3, & 7 \$300 The penalty is enhanced because the Respondent received one NOV Notes with violations same or similar to those cited in this action. 0% Enhancement Subtotal 4 \$0 Culpability The Respondent does not meet the culpability criteria. Notes Subtotal 5 \$0 Good Faith Effort to Comply 0% NOV to EDPRP/Settlement Offer Before NOV Extraordinary Ordinary (mark with x) Notes The Respondent does not meet the good faith criteria. 0% Enhancement* Subtotal 6 \$0 Total EB Amounts *Capped at the Total EB \$ Amount \$1,265 Approx. Cost of Compliance **SUM OF SUBTOTALS 1-7** \$6,300 Final Subtotal \$0 OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30 Notes Final Penalty Amount \$6,300 STATUTORY LIMIT ADJUSTMENT \$6,300 Final Assessed Penalty -\$1,260 DEFERRAL 20% Adjustment Reduction

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Deferral offered for expedited settlement.

\$5,040

Respondent NC-Nortex Cattle Company, LLC

Case ID No. 33039

Reg. Ent. Reference No. RN104804794 Media [Statute] Water Quality Enf. Coordinator Lynley Doyen Policy Revision 2 (September 2002) PCW Revision January 9, 2007

Compliance History Worksheet

Component		Enter Number Here	Adjust.	
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%	
	Other written NOVs	0	- 0%	
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denia of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%	
Judgments	Any non-adjudicated final court judgments of consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)		0%	
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federa government		0%	
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
Emissions	Chronic excessive emissions events (number of events)	0	0%	
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%	
Audito	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%	
1.1	Plea	se Enter Yes or No		
	Environmental management systems in place for one year or more	No .	: 0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No.	0%	
Ounci	Participation in a voluntary pollution reduction program	No	0%	
iliyaya A. Sadi	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	t No	0%	
	Adjustment F	Percentage (Si	ubtotal 2)	
at Violator (Su	btotal 3)		100 mg	100
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pliance Histor	/ Person Classification (Subtotal 7)	156269	10 m 10 m	40 ji 1622
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pliance History	/ oummary		3 % 7	

Sci	eening Date	22-Mar-2007		Docket N	No. 2007-0444-AGR-E		PCW
	Respondent	NC-Nortex Cattle (Company, LLC			Policy Rev	rision 2 (September 2002)
5.00 TO 100 TO 1	Case ID No.	33039				PCW	Revision January 9, 2007
TOTAL A CONTRACTOR OF THE PROPERTY OF THE PROP	eference No.	*					
	dia [Statute]						
	Coordinator						-
Vic	olation Number	1					
	Rule Cite(s)		Tex. Wa	ater Code § 2	26.121(a)		000000000000000000000000000000000000000
Violati	on Description	animal feed	ing operation ("CAI rmwater runoff flow	FO"). Specification in FO	gricultural waste from a conc cally, the investigator observ cattle pens to Paradise Cree the cattle pens.	ed	The second secon
					Base	Penalty	\$10,000
>> Environment	al, Property a	and Human Hea	Ilth Matrix	\$ B 55			
			Harm				
OR	Release Actual	r	oderate Minor				
	Potential		X		Percent 10%		Democratic Action (Control of Control of Con
>>Programmation	Matrix						
	Falsification	Major Mo	oderate Minor	r			
	44.00				Percent 0%		
Matrix Notes	Human healt	h or the environme	nt has been expose of the unauthor		cant amounts of pollutants a	s a result	35 .
23° 5							: -
FF B-serve					Adjustment	\$9,000	-
				5k # 15	Aujustilient	ψ5,000	. 33,644.
							\$1,000
Violation Events							
	Number of Vi	olation Events	2	91	Number of violation day	e	
	Number of Vi	Clation Events		1 31	Number of violation day	3	
		daily					
		monthly				_	
	mark only one	quarterly	x		Violation Base	Penalty	\$2,000
	with an x	semiannual					
		annual					
		single event					
Account many of the Control of Co	Two quarter		mended based on through the date of		ne unauthorized discharge (D	ecember	
		21, 2000)	anough the date of	Screening (II	viol 011 22, 2001 J.		
Economic Bene	fit (EB) for th	iis violation			Statutory Limit Tes	t E F	
	Estimate	d EB Amount		\$59	Violation Final Pena	alty Total	\$2,100
		<u> </u>					
			This violat	tion Final As	sessed Penalty (adjusted f	or limits)	\$2,100

Section 1991 Annual Control of the C		conomic l	penetit vv	orks	meet		
		tle Company, LLC					
Case ID No.							
eg. Ent. Reference No.	8					promote the second seco	
	Water Quality				and the second	Percent Interest	Years of
Violation No.	1	**************************************	CONTRACTOR CONTRACTOR CO.	etra conscensional			Depreciation
建设建设设置 医	100 L 0 T				运用业员员	5.0	15
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		And the state of t	and the second s				
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Buildings	1,000	and the second second	and a second control of the second	0.0	\$0	\$0	\$0
Other (as needed)	\$2,000	21-Dec-2006	24-May-2007	0.4	\$3	\$56	\$59
Engineering/construction	4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4			0,0∛	\$0	494 N \$0	\$0
Land	The state of the state of	7/437 - T/33.		0.0	\$0	n/a	\$0
Record Keeping System	***************************************	Trace and the second of the second	and the contract or selective decay	0.0	\$0	n/a	\$0
Training/Sampling	Exception Record Street E		2 23 March 101 102 10 10 10 10 10 10 10 10 10 10 10 10 10	0,0	\$0	n/a	\$0
Remediation/Disposal	700 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	21.22.22.22.22.22.22.22.22.22.22.22.22.2		0.0	\$0	n/a	\$0
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Other (as needed)	Estimated of	cost to implement b	est management i	0,0	\$0	n/a	\$0
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Screening Date :	22-Mar-2007	Docke	t No. 2007-0444-AGR-E	PCW
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Case ID No.				PCW Revision January 9, 2007
Reg. Ent. Reference No.				
Media [Statute] ^v				
Enf. Coordinator	Lynley Doyen			
Violation Number	2			
Rule Cite(s)		30 Tex. Admin. Code	§ 321.33(c)	
	individual permit. Sp	pecifically, during the investig	under a water quality general perration, it was determined that the Fue to the number of cattle (more the theorization.	acility
•			Base Pe	enalty \$10,000
>> Environmental, Property a	nd Human Heal	th Matrix		
Release		arm Jarata Minar		
OR Actual	Major Mod	lerate Minor		
Potential			Percent 0%	
L 2004				acces in a constant of the con
>>Programmatic Matrix		一級長島 医静气上音声		
Falsification		lerate Minor	- · ·	
	x x		Percent 10%	
				3,200
Matrix	100	% of the rule requirement wa	s not met.	
Notes	en alle koale la La la			
			A .:	0.000
The second secon			Adjustment \$	9,000
				\$1,000
)//				
Violation Events	5 5 5 5 5			
Number of Vio	lation Events	4 9	1 Number of violation days	
-			-	
***************************************	daily			
***************************************	monthly	X	Violetian Bass B	enalty \$4,000
mark only one with an x	quarterly semiannual		Violation Base Pe	Finally \$4,000
	annual			
***************************************	single event			
Four monthly	events are recomm	nended based on the investiga	ation date (December 21, 2006) th	rough
	th	e date of screening (March 2	2, 2007).	
Economic Benefit (EB) for thi	is violation		Statutory Limit Test	
	d EB Amount	\$1,206	Violation Final Penalty	Total \$4,200
			_	
		This violation Final	Assessed Penalty (adjusted for I	imits) \$4,200

	RN104804794				1 1415		
Media Violation No	Water Quality . 2		CONTAINED double are relationable to your of recognition			Percent Interest	Years of Depreciation
			lha sasi			5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		Shark Sold !				1.05 (0.15)
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Delayed Costs			THE STATE		- E-2		4 W. W. W.
Equipment				0.0	\$0	\$0	\$0
Buildings			A CONTRACT OF THE PARTY OF THE	0.0	\$0	\$0	\$0
Other (as needed)	244,000		A New York Control of the Control	0,0	\$0	\$0	\$0
Engineering/construction	\$12,000	16-Dec-2005	24-May-2007	1.4	\$57	\$1,148	\$1,206
Land	Taribatan Tariba			0.0	\$0	n/a	\$0
Record Keeping System	100 a 2 a 2 a 2 a 2 a 2 a 2 a 2 a 2 a 2 a		and the second second	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal	601260226387328			0.0	\$0	n/a =	\$0
Permit Costs	delicate distributions and accompany		A the control of the	0.0	\$0		water was the Contraction
		California accommunanti ancomo William	Alian production and a second			- n/a	\$0
Other (as needed)				0.0 y comple	\$0 ete permit applicat	n/a iion. Associated exp	\$0 penses include
	application f	ee, site survey, and juired. Final date i	d engineering cert s the date the Res	0.0 y comple lfications ponden	\$0 ete permit applicat s. Date required is t no longer owned	n/a =	\$0 penses include portzation was ility.
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Compliance History Customer/Respondent/Owner-Operator: CN602982282 NC-Nortex Cattle Company, LLC Classification: AVERAGE Regulated Entity: RN104804794 NC-NORTEX CATTLE COMPANY Classification: AVERAGE WASTEWATER AGRICULTURE PERMIT ID Number(s): APPRX 0.6 M W OF THE INTSX OF FM 1763 AND Location: U.S. HWY 287 AT PARADISE CK, WILBARGER CO, TX **REGION 03 - ABILENE** TCEQ Region: March 16, 2007 Date Compliance History Prepared: Agency Decision Requiring Compliance History: Enforcement Compliance Period: March 16, 2002 to March 16, 2007 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History Phone: 512-239-1364 Name: Lynley Doyen **Site Compliance History Components** 1. Has the site been in existence and/or operation for the full five year compliance period? 2. Has there been a (known) change in ownership of the site during the compliance period? Yes N/A 3. If Yes, who is the current owner? Nortex Cattle Company LLC 4. If Yes, who was/were the prior owner(s)? 01/24/2006 5. When did the change(s) in ownership occur? Components (Multimedia) for the Site: Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. A. N/A Any criminal convictions of the state of Texas and the federal government. B. Chronic excessive emissions events C. N/A D. The approval dates of investigations. (CCEDS Inv. Track. No.) 1 12/16/2005 (449798) 2 08/02/2006 (489760) 3 02/19/2007 (540885) E. Written notices of violations (NOV). (CCEDS Inv. Track. No.) Date: 12/16/2005 (449798) Classification: Major Self Report? NO Citation: 30 TAC Chapter 321, SubChapter B 321.33(c) Description: Failure to obtain permit coverage when operation increased number of cattle to meet the definition of a confined animal feeding operation. Self Report? NO Classification: Major Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) Description: Failure to prevent the discharge of contaminated stormwater runoff into Paradise Creek. Classification: Minor Self Report? NO Citation: 30 TAC Chapter 321, SubChapter B 321.47(b)(3)(B) Description: Failure to properly dispose of dead cattle. F Environmental audits N/A

G.

H.

N/A

N/A

Type of environmental management systems (EMSs).

Voluntary on-site compliance assessment dates.

Rating: 3.67

Rating Date: 9/1/2006

Repeat Violator: NO

TXG920901

Site Rating: 3.67

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
NC-NORTEX CATTLE	§	
COMPANY, LLC	§	
RN104804794	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-0444-AGR-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding NC-Nortex Cattle Company, LLC ("Nortex") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Nortex appear before the Commission and together stipulate that:

- 1. Nortex owned and operated a cattle feeding operation located approximately 0.6 mile west of the intersection of Farm-to-Market Road 1763 and United States Highway 287 at Paradise Creek in Wilbarger County, Texas (the "Facility").
- 2. Nortex has discharged agricultural waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
- 3. The Commission and Nortex agree that the Commission has jurisdiction to enter this Agreed Order, and that Nortex is subject to the Commission's jurisdiction.
- 4. Nortex received notice of the violations alleged in Section II ("Allegations") on or about February 24, 2007.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Nortex of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Six Thousand Three Hundred Dollars (\$6,300) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations").

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Nortex has paid Five Thousand Forty Dollars (\$5,040) of the administrative penalty and One Thousand Two Hundred Sixty Dollars (\$1,260) is deferred contingent upon Nortex's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Nortex fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Nortex to pay all or part of the deferred penalty.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Nortex have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that on May 24, 2007, Nortex submitted documentation showing that Nortex no longer owns and operates the Facility.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Nortex has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, Nortex is alleged to have:

- 1. Failed to prevent the unauthorized discharge of agricultural waste from a CAFO, in violation of TEX. WATER CODE § 26.121(a), as documented during an investigation conducted on December 21, 2006. Specifically, the investigator observed contaminated stormwater runoff flowing from the cattle pens to Paradise Creek, which is located directly between the cattle pens.
- 2. Failed to obtain authorization to operate a CAFO under a water quality general permit or individual permit, in violation of 30 Tex. ADMIN. CODE § 321.33(c), as documented during an investigation conducted on December 21, 2006. Specifically, during the investigation, it was determined that the Facility is operating at the capacity of a large CAFO due to the number of cattle (more than 1,000) without authorization.

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III. DENIALS

Nortex generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Nortex pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Nortex's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: NC-Nortex Cattle Company, LLC, Docket No. 2007-0444-AGR-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon Nortex.
- 3. This Agreed Order, issued by the Commission, shall not be admissible against Nortex in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 5. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to Nortex, or three days after the date on which the Commission mails notice of the Order to Nortex, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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NC-Nortex Cattle Company, LLC DOCKET NO. 2007-0444-AGR-E Page 4

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	**************************************				•
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For the Executive Director	_	•	Date	11200	7

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEO seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Name (Printed or typed)

Authorized Representative of

NC-Nortex Cattle Company, LLC

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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